

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

BRENDA KOEHLER,
KELLY PARKER,
LAYLA BOLTON,
GREGORY HANDLOSER,

Plaintiffs,

v.

Case No. 13-C-0885

INFOSYS TECHNOLOGIES LIMITED INC.,
INFOSYS PUBLIC SERVICES INC.,

Defendants.

ORDER GRANTING MOTION FOR LEAVE TO FILE SECOND AMENDED
COMPLAINT (DOC. 16) AND DENYING AS MOOT MOTION TO DISMISS (DOC. 6)

Plaintiffs move to amend the complaint for a second time. The proposed Second Amended Complaint adds factual allegations regarding three plaintiffs' right-to-sue letters (received this past summer) from the Equal Employment Opportunity Commission, the experiences of a former recruiter for one of the defendants, and a fine one of the defendants agreed to pay in connection with Department of Justice charges. Also, the plaintiffs have modified the proposed class definitions and added certain class allegations. (See Doc. 17 at 1-2.) Part of the allegations concern the issue of plaintiff Kelly Parker's exhaustion of administrative remedies, which was raised in defendants' motion to dismiss. (See Doc. 17 at 5 n.1; Doc. 7 at 12-14.)

Federal Rule of Civil Procedure 15(a)(2) provides that the court should freely grant leave to amend "when justice so requires." To date, defendants have not opposed the motion to amend. Further, the proposed changes address, among other things, the new existence of right-to-sue letters, which are relevant to the case and discussed in

defendants' pending motion to dismiss. Because the court finds that leave to amend should be granted,

IT IS ORDERED that the motion for leave to file the second amended complaint (Doc. 16) is granted. The clerk of court is directed to file the second amended complaint in the docket.

IT IS FURTHER ORDERED that the motion to dismiss the first amended complaint (Doc. 6) is denied as moot.

Dated at Milwaukee, Wisconsin, this 30th day of September, 2014.

BY THE COURT

/s/ C.N. Clevert, Jr.
C.N. CLEVERT, JR.
U.S. DISTRICT JUDGE